

Stolen and Otherwise

NOTICE OF COMMISSIONER'S SALE.

In the District Court of the Third Judicial District of the Territory of New Mexico, within and for the county of Grant.

John B. Manful, Plaintiff, VS. The Deming Land and Water company, Anna S. Wallis, Decima Kendrick, New Mexico Real Estate and Building Association, Bell McLean, John R. Goodfellow and Mary Goodfellow his wife, whose first name is unknown and is here called "Mary", Emerson M. Hotchkiss and Mary Hotchkiss his wife, whose first name is unknown and is here called "Mary", O. C. Fairhurst, his wife, whose first name is unknown and is here called "Mary", Emma A. Kendrick, as trustee for Bird Kendrick, Kate R. Kendrick, and Josie K. Kendrick; Gilbert A. Foster and Clara Foster his wife, Harry F. LaMaster and Mary LaMaster, his wife, whose first name is unknown and is here called "Mary", Frank Phelps, E. M. Miller and Nathaniel C. Foster. Defendants.

Whereas, by a certain judgement and decree of the above entitled court, made on the 24th day of July A. D. 1903, in the above entitled cause it was among other things considered and adjudged that the defendants, the Deming Land and Water company, is indebted to the plaintiff John B. Manful in the sum of \$31,599, that he, the sum due the plaintiff at the date of sale, and the defendant Nathaniel C. Foster in the sum of \$41,002, that being the sum due him at date of sale by reason of the failure of the said defendant The Deming Land and Water company, to pay certain semi-annual interest coupons owned by said plaintiff and defendant respectively attached to and detached from certain bonds issued by the defendant The Deming Land and Water company, and secured by its certain mortgage or deed of trust executed on the 15th day of August, 1898, to Thomas F. Hunt as trustee, and conveying to him the hereinafter described real estate and personal property; and, whereas, it was further ordered and decreed therein that a prior and superior lien exists in favor of the defendant Frank Phelps against the personal property levied upon under an execution against The Deming Land and Water company, in the sum of \$654.75 with interest thereon from March 2, 1902, at the rate of six per cent per annum, and the sum of \$22.25 costs therein taxed, amounting in the aggregate to the sum of \$677.00 at date of sale, and that said personal property so levied upon shall be sold separately for the satisfaction of said lien of the said Frank Phelps and subject hereto the surplus if any, to be applied to the payment of the coupon indebtedness above mentioned; and whereas, the undersigned was by said decree appointed by special commissioner of said court to sell the mortgaged real estate, premises and property hereinafter described to satisfy said indebtedness arising upon said unpaid interest coupons belonging to said plaintiff and said Nathaniel C. Foster, and also such like due and undue coupons now outstanding and which shall hereafter be by the court herein found to be the property of any one duly representing and claiming the same herein, and also the lien existing in favor of the defendant Frank Phelps, as aforesaid, and the costs and charges of said suit and of said sale.

Now therefore, this is to give notice that, under and in pursuance of said decree, I, the undersigned special commissioner, will on Wednesday, the 4th day of November, A. D. 1903, at the hour of ten o'clock in the forenoon of said day, offer for sale and sell, in front of the Banking building of the Bank of Deming, in the village of Deming, in the county of Luna, and Territory of New Mexico, at public auction, to the highest and best bidder for cash in hand, the following described real estate, premises and personal property, situated in the county of Luna in the Territory of New Mexico, to-wit:

Beginning at a point five hundred feet North of the South west corner of Section 23 in Township 23 South, of Range 9 West, of the New Mexico Principal Base and Meridian; thence running East eight hundred eight and one half feet; thence North eight hundred eight and one half feet; thence South eight hundred eight and one half feet, to the point of beginning—containing fifteen acres more or less; and being the tract of land on which are situated one of the principal wells and one of the principal reservoirs of said The Deming Land and Water company.

Also the West half of the North East quarter of Section 9 in Township 24 South, of Range 9 West, of the New Mexico Principal Base and Meridian.

Also that certain tract of land bounded as follows beginning at a point on the East section line of Sec. 9 T. 24 S. R. 9 W. N. M. P. B. & M. 1485 feet south of said corner, and running thence South on the East line of said section, 1155 feet to the South East corner of the N. E. 1/4 of said Sec. 9 thence West 1320 feet; thence North 1155 feet; thence East 1320 feet to the point of beginning on said East section line containing 115 acres.

Also that tract of land described by metes and bounds as follows:—Beginning at a point on the East line of Sec. 4 in T. 24 S. R. 9 W. of the N. M. P. B. and Meridian, 1000 feet North of the S. E. corner of said section, and running thence North 1640 feet to the North East corner of the S. E. 1/4 of said section 4; thence West 2540 feet to the N. W. corner of the S. E. 1/4 of said section; thence South 2540 feet to the S. W. corner of said S. E. 1/4 of said section; thence East 1792 feet; thence North 1000 feet; thence East 871 feet, to the point of beginning on said East section line containing 140 acres, more or less.

Also that tract of land described as follows: beginning at a point on the West line of Sec. 23 T. 23 S. R. 9 W. of the N. M. P. B. & M., at a point 500 feet North of the S. W. corner of said Section 23 and running thence North on said west section line 2140 feet to the North West corner of the S. W. 1/4 of said section 23 thence E. 2540 feet to the North East corner of the S. W. 1/4 of said Section 23, thence South 1792 feet; thence West 1486 feet thence South 348 feet; thence West 1154 feet to the point of beginning on said west section line.—containing 117 acres more or less.

Also the S. 1/4 of the N. W. 1/4 and the N. W. 1/4 of the N. W. 1/4 and the S. 1/4 of the N. E. 1/4 of the N. W. 1/4 of Sec. 3 T. 24 S. R. 9 W., and the S. W. 1/4 of S. W. 1/4 Sec. 9 T. 24 S. R. 9 W., containing 120 acres.

Also the W. 1/4 of N. E. 1/4 of said Sec. 9, and N. 1/4 of Sec. 10 T. 24 S. R. 9 W. Also those certain tracts of land as follows:—Beginning at a point on the East line of Section 9 in Township 24 S. R. 9 W., 1485 feet S. of the N. E. corner of said Section, running thence South 1155 feet to the S. E. corner of the N. E. 1/4 of said Sec. 9; thence West 1320 feet to the S. W. corner of the S. E. 1/4 of the N. E. 1/4 of said Section; thence North 1155 feet; thence East 1320 feet to the point of beginning.

Also beginning at a point on East line of Section 4 T. 24 S. R. 9 W., 1000 feet north of the S. E. corner of said Section 4, and running thence North 1640 feet to the N. E. corner of the S. E. 1/4 of said Section 4; thence West 2540 feet to the N. W. corner of the S. E. 1/4 of said Section; thence South 2540 feet on the West line of said S. E. 1/4 of said Section, to the S. W. corner of said S. E. 1/4 of said Section; thence East on the South line of said S. E. 1/4 of said Section 1792 feet; thence North 1000 feet; thence East 871 feet to the last mentioned point of beginning; Also, beginning at the N. W. corner of the S. W. 1/4 S. 3 T. 24 S. R. 9 W., and running thence East 760 feet; thence South 1320 feet, thence East 660 feet; thence North 1320 feet, and thence East 1220 feet to the N. E. corner of said S. W. 1/4 of said Section 3; thence S. 2540 feet to the S. E. corner of said Section 3; thence West on the South line of said S. W. 1/4 of said Section 3 to the S. W. corner thereof; and thence North 2540 feet to the N. W. corner of

said S. W. 1/4 of said Section 3, being the place of beginning.

Also the S. 1/4 of N. W. 1/4 of N. W. 1/4 of N. W. 1/4 and the S. 1/4 of N. E. 1/4 of N. W. 1/4 S. 3, and the S. 1/4 of N. W. 1/4 and the N. E. 1/4 of N. W. 1/4, and the E. 1/4 of N. W. 1/4 S. 2; all in T. 24 S. R. 9 W.

Also the N. W. 1/4 S. E. 1/4 and S. E. 1/4, and the N. W. 1/4 N. E. 1/4 of S. E. 1/4 and the S. 1/4 N. E. 1/4 S. E. 1/4 S. 3, T. 23 S. R. 9 W.

Also that tract of land bounded as follows:—Beginning at a point on the West line of Section 23 T. 23 S. R. 9 W., 500 feet North of the S. W. corner of said Section, and running thence North on said West Section line 2140 feet to the N. W. corner of S. W. 1/4 of said Section; thence East 2540 feet to the N. E. corner of the S. W. 1/4 of said section; thence South 1792 feet; thence West 1486 feet; thence South 348 feet, and thence West 1154 feet to the point of beginning, on said west section line of said Section 23;

Also the N. E. 1/4 S. 20; the W. 1/4 S. E. 1/4, the S. E. 1/4, S. E. 1/4, the S. E. 1/4 N. E. 1/4 S. E. 1/4, and the N. W. 1/4 N. E. 1/4 S. 32; the S. E. 1/4 S. 20; all in T. 23 S. R. 9 W.; Also the E. 1/4 S. E. 1/4 S. 3, T. 24 S. R. 9 W.

Also the following described personal property upon which exists the lien of the defendant Frank Phelps, as aforesaid, to-wit:—Two pieces of riveted iron pipe, each about 24 inches in diameter and about 29 feet 6 inches long; one 125 horse-power boiler, made by J. J. O'Brien, about 5 feet in diameter and 20 feet long; one Worthington boiler-feed-pump; one feed-water heater, about 3 feet in diameter and 5 feet high; one 40 horse power stationary engine; one 4 inch Judson English Governor, complete; one upright boiler about 5 feet in diameter and 6 feet high; 75 3-inch water tubes, each about six feet long; one cast-iron upright boiler base; one cast-iron boiler front; two iron pulleys for iron rope; two four inch gate valves; one power grind-stone; one lot of tee and side connections, for four inch pipe; one piece of six inch wrought-iron pipe, about twenty feet long; five socket wrenches, and three fire plugs, complete.

R. M. TURNER, Special Commissioner.
James S. Fielder, Deming N. M.
One of the Attorneys for Plaintiff.
Oscar C. Appel, Silver City N. M.
Attorney for defendant Nathaniel C. Foster.

SANTA FE,

Chicago And return, \$43.50 On September 25th 26th and 27th the Santa Fe will sell tickets to Chicago and return at \$43.50 for the round trip. Tickets good to return until October 5th.

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The yellow fever condition on the line of Texas and Mexico continues serious.

Oil has been struck in the well that is being drilled at Durango Colorado, at a depth of 880 feet,

The big industrial trusts are suffering, but the business of the country goes along well. Wall street is learning slowly, but surely that it is not the whole cheese.

The recent flood in the valley near Tarrico, Mexico is said to have done great damage to the cotton fields of that region, and the railroads were also heavy losers.

New Mexico fruits from the San Juan country took the lead at the Colorado-New Mexico fair at Durango, and New Mexico fruits will take the lead wherever exhibited; there is no place in the country where the size, color and flavor go together as they do here

Four of the newspaper men of this city have been making charges against certain county officials. When called before the grand jury this week they had nothing to say. What caused the dense silence?—Albuquerque Citizen.

Washington, Oct. 6.—Attorney General Knox had a conference with the president today at which it was decided to appoint William H. Pope associate justice of the supreme court in New Mexico. Pope was special council of the government in consideration of private land claims and of the Philippine land cases and was strongly recommended by the attorney general.

Carlsbad, N. M., Oct. 7.—The second tragedy to be enacted in the Territory within the present week, occurred at Carlsbad, when Elmore Freeman 30 years of age, the son of Judge Freeman, committed suicide while temporarily demented, by shooting himself through the heart, at the home of his father.

We need no better citizens than the Spanish speaking American, but there are more people who when they do as they like, speak German in Ohio and Wisconsin than there are people who out of choice speak Spanish in the territories.—Albuquerque Citizen.

As they stand separately New Mexico and Arizona would be fourth and fifth in the union in size. There would be as much sense in changing the name of Washington, D. C., to that of Good Lord as to combine Arizona and New Mexico under the name of Montezuma, for the Lord had heard of Washington and is needed there, but Montezuma never even heard of the Territory.—Albuquerque Citizen.

Boston Oct. 6.—Moody Merrill, formerly a prominent business man here, who was arrested in New York last May on an indictment which was issued from this state ten years ago, and who is now under \$10,000 bonds to answer to charges, has again been indicted by a Suffolk county grand jury. The new indictment, which was made known for the first time today, contains all the counts in the old and several new counts, and alleged embezzlement amounting to about \$28,000. Merrill is now in New Mexico.—Albuquerque Journal.

Locating a Claim.

So many claims are being located in the surrounding country nowadays that the following points on locating may be useful.

In locating a mining claim (lode or placer) give to some one corner the title of corner No 1 and mark it clearly on the stake. Then proceed around the claim from this initial point marking every bend in the lines with a stake and giving each stake a number in proper rotation after No. 1. Finally place a stake at the point of discovery, measure its distance from this stake [which is the discovery stake] to corner No. 1, and ascertain as closely as possible with a compass the direction of corner No. 1 from the location stake. If reasonable care is taken in these details, and a description confirming them is made in the location certificate, the latter will be safe and sound.